

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ABDUL RASHEED, )  
Petitioner, )  
v. ) Civil Action No. 21-1513  
WARDEN MARK CAPOZZA, THE )  
ATTORNEY GENERAL OF THE )  
COMMONWEALTH OF )  
PENNSYLVANIA, THE DISTRICT )  
ATTORNEY OF ALLEGHENY COUNTY,  
Respondents.

**MEMORANDUM ORDER**

On October 22, 2021, Petitioner Abdul Rasheed (“Rasheed”) commenced this civil action in which he seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Docket Nos. 1, 4). In the petition, Rasheed challenges his 2018 judgment of sentence imposed in CP-02-CR-0013839-2016 in the Allegheny County Court of Common Pleas following his guilty plea to third-degree murder, aggravated assault, persons not to possess firearms, receipt of stolen property, firearms not to be carried without a license, false identification to law enforcement, and possession of heroin. This case was referred to Magistrate Judge Lenihan and reassigned to Chief Magistrate Judge Lanzillo, before being referred to Magistrate Judge Taylor. Judge Taylor issued a report and recommendation (R&R) in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Civil Rule 72 indicating that the Petition for Writ of Habeas Corpus ought to be denied and no certificate of appealability should issue. (Docket No. 22). Objections to the Report and Recommendation were due to be filed by November 26, 2024. (*Id.*). No objections were filed.

Having reviewed the petition, other documents, and R&R in this case, the following order is entered:

AND NOW, this 3rd day of June 2025, IT IS ORDERED that Petitioner's petition for a writ of habeas corpus (Docket No. 4) shall be, and hereby is, DENIED with prejudice and the R&R of Magistrate Judge Taylor (Docket No. 22) is adopted as the opinion of this Court. Because jurists of reason would not find it debatable that Rasheed failed to make a substantial showing of the denial of a federal constitutional right, IT IS FURTHER ORDERED that no certificate of appealability shall issue. The Clerk of Court shall mark this case closed.

*/s/ W. Scott Hardy*  
W. Scott Hardy  
United States District Judge

cc: ABDUL RASHEED (via U.S. Mail)  
NL 1346  
SCI FAYETTE  
50 Overlook Drive  
LaBelle, PA 15450

ecf: All counsel of record